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PATENT APPLICATION

00684.003161

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Examiner: D. Collins
Eiichi MURAKAMI	Group Art Unit: 2823
Application No.: 09/819,673	
Filed: March 29, 2001	
For: EXPOSURE APPARATUS	July 1, 2002 (Monday)

Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

Applicant respectfully traverses the restriction requirement set forth in the Office Action dated May 30, 2002.

In the Office Action, the Examiner sets forth a restriction requirement between two groups of claims. Group I, claims 18-20 and 22, is drawn to a device manufacturing method, classified in class 438, subclass 7. Group II, claims 1-17, 21, 23 and 24, is drawn to an exposure apparatus for printing, by exposure, a pattern of an original on a substrate, classified in class 364, subclass 550+.

The Examiner contends that the inventions of Groups I and II are related as process and apparatus for its practice, and have acquired a separate status in the art due to their

different classification such that the searches are not coextensive, requiring separate examination. These contentions are respectfully traversed.

Applicant notes that the inventions of Groups I and II are so closely related in the field of exposure that a proper search of any of the claims would, of necessity, require a search of the others. Specifically, Applicant notes that each of the claims in the two Groups recites the use of an exposure apparatus that includes (i) a housing tightly filled with a predetermined ambience and (ii) a detection system having an optical system. Thus, it is submitted that all of the claims can be searched simultaneously, and that a duplicative search, with possibly inconsistent results, may occur if the restriction requirement is maintained.

Applicant further submits that any nominal burden placed upon the Examiner to search an additional subclass or two, necessary to determine the art relevant to Applicant's overall invention, is significantly outweighed by the public interest in not having to obtain and study several separate patents in order to have available all of the issued patent claims covering Applicant's invention. The alternative is to proceed with the filing of multiple applications, each consisting of generally the same disclosure, and each being subjected to essentially the same search, perhaps by different Examiners on different occasions. This places an unnecessary burden on both the Patent and Trademark Office and on Applicant.

In the interest of economy, for the Office, for the public-at-large and for Applicant, reconsideration and withdrawal of the restriction requirement are requested.

Nevertheless, in order to comply with the requirements of 37 CFR 1.143, Applicant provisionally elects, with traverse, to prosecute the invention of Group II, namely claims 1-17, 21, 23 and 24.

Favorable consideration and an early passage to issue are requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our address listed below.

Respectfully submitted,

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